## REMARKS

The Non-Final Office Action mailed April 15, 2009 has been received and carefully noted. Claims 1-9 are currently pending in the subject application and are presently under consideration. The Applicant respectfully requests entry of the amendments shown above and reconsideration in view of the following comments.

### Claim Rejections - 35 U.S.C. § 102

Claims 1-9 were rejected under 35 U.S.C. § 102(a) as being anticipated by Tabatabai et al. (Pub. No. US 2003/0031260) ("Tabatabai"). The Applicant respectfully requests withdrawal of these rejections because the cited references do not teach or suggest each and every element of the claims as amended.

The present application is directed to using MPEG-7 description techniques in retrieving object-based audio visual (AV) contents in MPEG-4 format. MPEG-7 descriptions are generated from MPEG-4 contents stored in the MPEG-4 contents storage unit. In particular, the independent claims have been amended in regards to the "binary file" element. Amended independent claim 1 recites "an extensible description/binary converter for receiving the XML based textual format file including the MPEG-7 descriptions generated by the extensible description generator, and generating a binary file from the XML based textual format file." Amended independent claim 4 recites "converting the XML based textual format file into a binary file." Amended independent claim 6 recites "an extensible description/binary converter for receiving the XML based textual format file including the MPEG-7 descriptions, and generating a binary file from the XML based textual format file."

The Examiner cites paragraph 0033 of Tabatabai as disclosing the binary file (*See* Office Action, pg. 3). However, Tabatabai does not disclose a binary file generated from an XML based textual format file. The only mention of "binary forms" in paragraph 0033 is in the reference to the MPEG-4 content data (*See* Tabatabai, paragraph 0033, "As such, the method may also be applied to MPEG-4 content data stored in other binary forms using well known methods ..."). As shown in the claims, the binary file is generated from an XML based textual

format file. This is not MPEG-4 content data, but rather is generated from the textual format file that includes MPEG-7 description generated from MPEG-4 content. Therefore, a disclosure that MPEG-4 content data may be in a binary form does not disclose the recited binary file of the independent claims.

The above arguments apply to the dependent claims by virtue of their dependencies on the independent claims. Reconsideration and withdrawal of these rejections are respectfully requested.

# CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-8300.
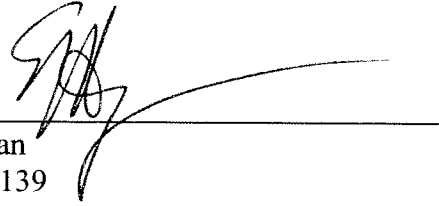
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

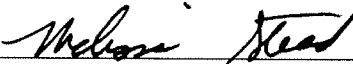BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: _____7|17|09_____

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